

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

UNITED STATES OF AMERICA,

v.

VICTORIA METZ,

Defendant.

Case No. 1:12-CR-22 (WLS)

Before the Court are Defendant Victoria Metz's Motion to Proceed on Appeal *In Forma Pauperis* and a Motion to Withdraw as Attorney by defense counsel Phil Cannon. In the IFP motion, Metz indicates she cannot afford her retained attorney or the costs of appeal. Cannon represents he cannot represent Metz on appeal because she appeals on the basis of ineffective assistance of counsel. Accordingly, per Cannon, the continued representation presents a conflict of interest.

Local Criminal Rule 57(d) provides:

If a defendant moves the court to proceed on appeal *in forma pauperis* and/or for the appointment of Criminal Justice Act appellate counsel, or if defense counsel moves for permission to withdraw citing extraordinary circumstances, the retained attorney will be required to disclose in camera the total amount of fees and costs received from every source; by whom the fees and costs were paid; and the costs actually incurred and services actually rendered.

M.D. Ga. L. Crim. R. 57(d). Accordingly, defense counsel Cannon and Metz are **ORDERED** to appear at the C.B. King United States Courthouse in Albany, Georgia, on **Wednesday, June 26, 2013, at 2:30 p.m.** for an *in camera* inspection of the total amount of fees and costs associated with Metz's representation.

**SO ORDERED**, this 14<sup>th</sup> day of May 2013.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS  
UNITED STATES DISTRICT COURT**